2021 Commissioner Report Big Bear Creek Enforcement Area

COMMISSIONER REPORT

Enforcement No. Diversion Name BB 001IN			0 1						Source BIG BEAR CREEK				
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID	Means	From - To	Cfs	Comments				
19850701	MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS	41H M 30008903		FS	17*	IN	01 01 12 31	2	2				
					Cfs T	Total For	Diversion	2	<u>:</u>				

Enforcement No. Diversion Name

ROOSE, CAROLYN R

Legal Description

Source

BB 001PL

SESWSW 23 3S4E **BIG BEAR CREEK**

Enforceable Priority Date	Owner	Water Right #	Type	Use Acres	Pod ID	Means	From - To	Cf s	Comments
18720601									
	BEAR CREEK WATER USERS ASSN	41H W 139934 00	DECR	RC 8.7	4*	HG	05 01 11 04	2.5	PODs1,2,3 appear to be no longer in use(41H139934). Change authorization is in place for converting use to a reservoir for recreation
	GRAMER, GARY A								
	GRAMER, LISA D								

Cfs Total For Diversion 2.5

Enforcement No. Diversion Name

Legal Description

Source

BB 002 HIGHWAY 191 DITCH #1

BEAR CREEK WATER USERS ASSN

SWSWSW 23 3S4E

IR 175

BIG BEAR CREEK

Enforceable Pod Priority Date ID Means From - To

Water Right # **Owner Type** Use Acres

41H W 139935 00

18730601

DECR

HG 05 01 11 01 2 Headgate appears to be on the west side of the road.

Cfs Total For Diversion 2

Comments

Enforcement No. Diversion Name

Legal Description

DECR

Source

HG

BB 003

HIGHWAY 191 DITCH #2

BEAR CREEK WATER USERS ASSN

SWSWSW 23 3S4E

BIG BEAR CREEK

Enforceable Pod Priority Date

Water Right # ID Means From - To **Owner Type** Use Acres

41H W 139935 00

18730601

IR 175

2 POD APPEARS TO BE IN THE SESWSW ON THE WEST SIDE OF THE HIGHWAY

Comments

05 01 11 01

Cfs Total For Diversion 2

Tuesday, June 1, 2021

Enforcement No.	Diversion Name
BB 004	HIGHWAY 191 DITCH #3

Legal Description

Source

SESWSW 23 3S4E **BIG BEAR CREEK**

Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID Means	From - To	Cfs	Comments
10730001	HART, LEE I	41H W 3391 00	DECR	IR 46.9	2* HG	05 15 09 15	.45	Headgate appears to be near the property edge in the SESWSW on an unnamed ditch
	HART, SANDRA L							

Cfs Total For Diversion .45

Enforcement No. Diversion Name

Legal Description

Source

BB 005 HART DITCH SWSWNE 12 3S4E **BIG BEAR CREEK**

Enforceable Pod Priority Date ID Means From - To **Owner**

Water Right # **Type** Use Acres

18730601

HART, LEE I 41H W 3391 00 DECR IR 46.9 HG 05 15 09 15 .45 POD APPEARS TO BE

DOWNSTREAM OF GALLATIN CANAL ON A DITCH KNOWN AS

"HART DITCH".

Comments

HART, SANDRA L

Cfs Total For Diversion

.45

Enforcement No. Diversion Name

Legal Description

Source

BB 006

WEST GALLATIN CANAL #1

NWNENW 26 3S4E **BIG BEAR CREEK**

Enforceable Pod Priority Date

Water Right # ID Means From - To **Owner Type** Use Acres **Comments**

18830415

WEST GALLATIN CANAL CO 41H W 33130 00 USE IR 8450 HG 04 15 11 01 37.5 Bear Creek splits before in Converges

> Cfs Total For Diversion 37.5

Tuesday, June 1, 2021

with W Gallain Canal. There are two

diversions along the canal

Enforcement No. Diversion Name

Legal Description

Source

BB 007 WEST GALLATIN CANAL #2

SESESW 23 3S4E

Enforceable Priority Date	Owner	Water Right #	Type	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18730601	BEAR CREEK WATER USERS ASSN	41H W 139935 00	DECR	IR	175	1*	HG	05 01 11 01	2	DIVERSION OFF OF SOURCE APPEARS TO BE ON WEST GALLATIN CANAL
18830415	WEST GALLATIN CANAL CO	41H W 33130 00	USE	IR	8450	2*	HG	04 15 11 01	37.5	Bear Creek splits before in Converges with W Gallain Canal. There are two diversions along the canal
						Cfs T	Total For	Diversion	39.5	

Enforcement No. Diversion Name

Legal Description

Type

DECR

Source

BB 008PL

SENWNE 26 3S4E

BIG BEAR CREEK

Enforceable Priority Date

Owner

Water Right #

Use Acres

Pod
ID Means From - To Cfs

Comments

18730601

DERHAM, GLENNA M

41H W 103728 00

IR 246.5

HG 05 01 10 01

1.17 CONVEYANCE STRUCTURE IS UNCLEAR. HEADGATE APPEARS

TO BE IN THE SENWNE.

DERHAM, WILLIAM

VINTON, KAREN L & RICHARD O REVOCABLE LIVING TRUST

Cfs Total For Diversion

1.17

Enforcement No. Diversion Name **BB 009 COLBURN DITCH** Legal Description

Source

SWSWNW 25 3S4E

Enforceable Priority Date	Owner	Water Right #	Туре	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18660601										
	DERHAM, GLENNA M	41H W 103727 00	DECR	IR	243	1	HG	05 01 10 01	2.08	
	DERHAM, WILLIAM									
	DSMB LLC									
	GLENNLEE LLC									
	BUFFALO LAND CO WATER USERS ASSOC	41H W 829 00	DECR	IR	146	1	HG	05 01 11 01	1.04	
18730601										
	DERHAM, GLENNA M	41H W 103728 00	DECR	IR	246.5	1*	HG	05 01 10 01	1.17	
	DERHAM, WILLIAM									
	VINTON, KAREN L & RICHARD O REVOCABLE LIVING TRUST									
	BUFFALO LAND CO WATER USERS ASSOC	41H W 828 00	DECR	IR	146	1	HG	05 01 11 01	.58	
						Cfs T	otal For	Diversion	4.87	

Enforcement No. Diversion Name		$oldsymbol{L}$	Legal Description				Sourc	r e		
BB 010	ARMSTRONG NIXON DIT	TCH N	ENWSE	25	3S4E		BIG B	EAR CREE	K	
Enforceable Priority Date	Owner	Water Right #	Туре	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18710601										
	NIXON FAMILY TRUST DTD 10-11-2019	41H W 1169 00	DECR	IR	167.3	1	HG	05 01 09 15	1.25	POD for 41H 22567 00, 1169 00, 1170 00, 1171 00 is in the NENWSE ON ARMSTRONG NIXON DITCH
	NIXON, CLIFFORD W									
	NIXON FAMILY TRUST DTD 10-11-2019	41H W 1171 00	USE	LG	1.62	1	HG	05 01 11 30	1.38	SEE COMMISSIONER REMARK
	NIXON, CLIFFORD W									
	NIXON FAMILY TRUST DTD 10-11-2019	41H W 22567 00	USE	IR	167.3	1	HG	05 01 07 31	2.25	POD for 41H 22567 00, 1169 00, 1170 00, 1171 00 is in the NENWSE
	NIXON, CLIFFORD W									ON ARMSTRONG NIXON DITCH
18720601										
10720001	NIXON FAMILY TRUST DTD 10-11-2019	41H W 1170 00	DECR	IR	167.3	1	HG	05 01 09 15	1.5	POD for 41H 22567 00, 1169 00, 1170 00, 1171 00 is in the NENWSE
	NIXON, CLIFFORD W									ON ARMSTRONG NIXON DITCH
						Cfa 7	Fotal For	· Diversion	6.38	
						CJS I	oiui I OI	Diversion	0.56	

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Enforcement No. Diversion Name Legal Description

BB 011 ARMSTRONG HUTTINGA DITCH SENWSW 30 3S5E BIG BEAR CREEK

Enforceable Pod

Priority Date Owner Water Right # Type Use Acres ID Means From - To Cfs Comments

18720601

HUTTINGA, KATHRYN **41H W 16033 00** DECR IR 70.2 1 HG 03 01 10 31 **1.25**

HUTTINGA, RICHARD

Cfs Total For Diversion 1.25

Source

Tuesday, June 1, 2021

Enforcement BB 012	at No. Diversion Name ARMSTRONG DITCH	· ·	<i>Legal Descripti</i> NESWSW 29		•		Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Туре	Use	Acres	Pod ID	Means	From - To	Cfs	Comments		
18720601	LBJ PROPERTIES LLC	41H W 136616 00	DECR	IR	62.7	1*	HG	03 15 10 31	1.25	DIVERSION APPEARS TO BE ON "ARMSTRONG DITCH" IN THE NESWSW.		

Cfs Total For Diversion

1.25

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Enforcement No. Diversion Name

Legal Description

Source

BB 013

HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

Enforceable Priority Date	Owner	Water Right #	Type	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18660601	DECK, STACEY A KUBIT, THOMAS G	41H W 25660 00	DECR	IR	99.7	1	HG	05 15 11 30	.7	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH
	DECK, STACEY A KUBIT, THOMAS G	41H W 25661 00	USE	ST		1	DT	05 15 11 30		DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH
	CAMPBELL JEFFERSON REVOCABLE TRUST	41H W 30071995	DECR	IR	16	1	HG	05 15 11 30	.12	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25660 00
	CAMPBELL JEFFERSON REVOCABLE TRUST	41H W 30071996	USE	ST		1	DT	05 15 11 30		DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25661 00
	FITZGERALD, CHRISTOPHER VOLGENAU, LISA	41H W 30071998	DECR	IR	36	1	HG	05 15 11 30	.25	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25660 00
	FITZGERALD, CHRISTOPHER VOLGENAU, LISA	41H W 30071999	USE	ST		1	DT	05 15 11 30		BB 013 HOLLOWAY-WOODWORTH DITCH
	DUCKEN, JOHN J	41H W 30072001	DECR	IR	26.3	1	HG	05 15 11 30	.18	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25660 00

Enforcement No. Diversion Name

Legal Description

Source

BB 013 HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID Means	From - To	Cfs	Comments
	DUCKEN, JOHN J	41H W 30072002	USE	ST	1 DT	05 15 11 30		DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25661 00
18670601	HAVEOU FUNDE D	4411 W 444000 00	DE OD	ID 475	4 110	05.04.44.45		
	HAXTON, EUNICE B HAXTON, RICHARD A	41H W 114988 00	DECR	IR 175	1 HG	05 01 11 15	2.5	
18720601	LBJ PROPERTIES LLC	41H W 136616 00	DECR	IR 62.7	2* HG	03 15 10 31	1.25	WOODWORTH DITCH ALSO
18730601								KNOWN AS "HAXTON" DITCH
	DECK, STACEY A KUBIT, THOMAS G REISER, EDWARD G	41H W 210808 00	DECR	IR 173.3	1 HG	05 15 10 31	1.88	
	REISER, MARY R							
	DECK, STACEY A KUBIT, THOMAS G	41H W 25659 00	DECR	IR 99.7	1 HG	05 15 11 30	1.05	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH
	CAMPBELL JEFFERSON REVOCABLE TRUST	41H W 30071994	DECR	IR 16	1 HG	05 15 11 30	.18	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25659 00

Enforcement No. Diversion Name

Legal Description

Source

BB 013

HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

Enforceable Priority Date	Owner	Water Right #	Tuna	I laa	4 0200	Pod	Magna	From - To	Cf.	Comments
Friority Date		_	Type		Acres				Cfs as	
	FITZGERALD, CHRISTOPHER	41H W 30071997	DECR	IR	36	1	HG	05 15 11 30	.38	HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25659
	VOLGENAU, LISA									00
	DUCKEN, JOHN J	41H W 30072000	DECR	IR	26.3	1	HG	05 15 11 30	.28	DIVERSION APPEARS TO BE ON HOLLOWAY-WOODWORTH DITCH. SPLIT CLAIM BASED ON 41H 25659 00
18780601										
	DECK, STACEY A	41H W 210809 00	DECR	IR	173.3	1	HG	05 15 10 31	1.25	
	KUBIT, THOMAS G									
	REISER, EDWARD G									
	REISER, MARY R									
18830531										
	DECK, STACEY A	41H W 110404 00	FILE	ST		1	DT	01 01 12 31		
	KUBIT, THOMAS G									
	REISER, EDWARD G									
	REISER, MARY R									
19120630										
	NEALE, DIANA T	41H W 136597 00	USE	ST		1	DT	01 01 12 31		SEE COMMISSIONER REMARK INDEX
	NEALE, GRAHAM									

Enforcement No. Diversion Name

Legal Description

Source

BB 013

HOLLOWAY-WOODWORTH DITCH NWSESW 29

3S5E

BIG BEAR CREEK

Enforceable Priority Date	Owner	Water Right #	Type	Use Acres	Pod ID	Means	From - To	Cfs	Comments
	NEALE, DIANA T	41H W 136612 00	USE	IR 8	1	HG	03 15 10 31	.25	SEE COMMISSIONER REMARK
	NEALE, GRAHAM								
	STUKER, JOHN L	41H W 30069712	USE	ST	1	DM	01 01 12 31		SEE COMMISSIONER REMARK INDEX.
	STUKER, JOHN L	41H W 30069714	USE	IR 8	1	HG	03 15 10 31	.25	SEE COMMISSIONER REMARK INDEX
	WEPPLER, LANCE L	41H W 30069715	USE	IR 8	1	HG	03 01 10 31	.25	SEE COMMISSIONER REMARK
	WEPPLER, REBECCA C								

Cfs Total For Diversion 10.77

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Cfs Total For Diversion

8.25

Enforcement BB 014	No. Diversion Name SCAHILL-STEWART DITCH		<i>Legal Desc</i> SWNWNE		cription 32 3S5E		Source BEAR CREEK			
Enforceable Priority Date	Owner	Water Right	# Type	Use	Acres	Pod ID	Means	From - To	Cfs	Comments
18660601	GEISE, AUGUST W	41H W 12236	00 DECR	IR	455	1	HG	05 01 11 30	4	DITCH IS SCAHILL-STEWART
	GEISE, KATHLEEN M LECLAIR, KEN PORTNELL ENTERPRISES INC									BITOTT
18800601	GEISE, AUGUST W GEISE, KATHLEEN M LECLAIR, KEN PORTNELL ENTERPRISES INC	41H W 12235	00 DECR	IR	455	1	HG	05 01 11 30	2.5	
	HUD, JOHN & JACQUELINE LIVING TRUST	41H W 12235	01 DECR	IR	20	1	HG	04 01 10 31	1	SOURCE IS BIG BEAR CREEK
19120630	CURRIER, ROBERT J CURRIER, SHANNON R ELSTON, RICHARD L & MARY I REVOCABLE TRUST MARX, DAVID R MARX, NANCI L ROSENBERG, OSCAR ESTATE OF	41H W 148638	00 FILE	IR	49	1	HG	04 01 10 01	.75	

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Enforcement No. Diversion NameLegal DescriptionSourceBBLS 001N2 26 3S4EBIG BEAR CREEK

Enforceable
Priority Date Owner Water Right # Type Use Acres ID Means From - To Cfs Comments

19661231

URSA MAJOR WATER USERS ASSN INC 41H W 141148 00 USE ST 1 LS 01 01 12 31

Cfs Total For Diversion

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Enforcement No. Diversion Name

Legal Description

Source

BBLS 002

S2NWNE 26 3S4E

BIG BEAR CREEK

Enforceable Priority Date

Owner

Water Right # Type Use Acres

ID Means From - To

Pod

Cfs Comments

18661231

VINTON, KAREN L & RICHARD O REVOCABLE LIVING TRUST

41H W 139863 00

USE

ST

1 LS 01 01 12 31

Cfs Total For Diversion

Enforcement No. Diversion Name BBLS 003		<i>Leg</i> W2		Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID	Means	From - To	Cfs	Comments
18710601	NIXON FAMILY TRUST DTD 10-11-2019 NIXON, CLIFFORD W	41H W 14390 00	USE	ST	1	LS	07 01 06 30		

Cfs Total For Diversion

Enforcement No. Diversion Name

Legal Description

Source

Pod

BBLS 004

N2S2 30 3S5E

BIG BEAR CREEK

Enforceable Priority Date

Owner

Water Right #

Type Use Acres

ST

ID Means From - To

s Comments

18720601

LBJ PROPERTIES LLC

41H W 136604 00

USE

LS 01 01 12 31

Cfs Total For Diversion

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Enforcement No. Diversion Name BBLS 005		L eg E2	<i>Legal Description</i> E2 32 3S5E					Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID		From - To	Cfs	Comments				
18900701	USA (DEPT OF AGRICULTURE FOREST SERVICE)	41H W 55299 00	USE	ST	1	LS	06 01 10 31						

Cfs Total For Diversion

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Enforcement No. Diversion Name BBLS 006		Leg 4		Source BIG BEAR CREEK						
Enforceable Priority Date	Owner	Water Right #	Type	Use Acres	Pod ID		From - To	Cfs	Comments	
18900701	USA (DEPT OF AGRICULTURE FOREST SERVICE)	41H W 55300 00	USE	ST	1	LS	06 01 10 31			

Cfs Total For Diversion

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Enforcement No. Diversion Name BBLS 007		Leg SW		Source BIG BEAR CREEK					
Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID		From - To	Cfs	Comments
18900701	USA (DEPT OF AGRICULTURE FOREST SERVICE)	41H W 55303 00	USE	ST	1	LS	06 01 10 31		
		Cfs Total For Diversion							

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Enforcement No. Diversion Name

Legal Description

Source

WC 001 (BB 013) HOLLOWAY-WOODWORTH DITCH NWSESW 29

29 3S5E

BIG BEAR CREEK

19120630 NEALE, DIANA T NEALE, GRAHAM STUKER, JOHN L WEPPLER, LANCE L WEPPLER, REBECCA C 1912 1912 1912 1912 1912 1913 1912 1913	Enforceable Priority Date	Owner	Water Right #	Type	Use Ac	Pod res ID		From - To	Cfs	Comments
DIVERSION FOR 41H 30069714 WEPPLER, LANCE L 41H W 30069715 USE IR 8 1 HG 03 01 10 31 .25 THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 30069715	19120630		41H W 136612 00	USE	IR 8	1	HG	03 15 10 31	.25	
DIVERSION FOR 41H 30069715		STUKER, JOHN L	41H W 30069714	USE	IR 8	1	HG	03 15 10 31	.25	
		,	41H W 30069715	USE	IR 8	1	HG	03 01 10 31	.25	

Cfs Total For Diversion .75

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Enforcement No. Diversion Name

NEALE, GRAHAM

Legal Description

Source

WCLS 001 (BB 013)

SESWSW 29 3S5E **BIG BEAR CREEK**

Enforceable Priority Date	Owner	Water Right #	Туре	Use Acres	Pod ID M	leans	From - To	Cfs	Comments
19120630	NEALE, DIANA T	41H W 136597 00	USE	ST	1	DT	01 01 12 31		THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 136597 00

Cfs Total For Diversion

3S5E

Enforcement No. Diversion Name

Legal Description

Source

WCLS 002 (BB

HOLLOWAY-WOODWORTH DITCH NWSESW 29

BIG BEAR CREEK

013)

Enforceable Priority Date	Owner	Water Right #	Type	Use Acres	Pod ID	Means	From - To	Cfs	Comments
19120630	STUKER, JOHN L	41H W 30069712	USE	ST	1	DM	01 01 12 31		THIS IS A SECONDARY POINT OF DIVERSION FOR 41H 30069712

Cfs Total For Diversion

Tuesday, June 1, 2021